



MINUTES OF THE REGULAR BOARD OF ALDERMEN MEETING OF MONDAY, JANUARY 7, 2008

1. CALL TO ORDER

Mayor Wilson called the Regular Meeting of the Board of Aldermen to order at 7:30 p.m.

Following the Pledge of Allegiance, President of the Board Marilyn Ottenad read a seasonal poem for the invocation.

2. ROLL CALL AND STATEMENT OF QUORUM

Roll call showed those present were Alderman Clement, Alderman Tullock, Alderman Ottenad, Alderman Diehl, Alderman Ryan, Mayor Wilson and Attorney Gunn. Alderman Steinbrenner was absent. A quorum was present.

3. APPROVAL OF THE MINUTES

a. Minutes of the December 17, 2007 Regular Board of Aldermen meeting

Alderman Clement made the motion to approve the Minutes of the December 17, 2007 Regular Board of Aldermen meeting. The motion was seconded by Alderman Ottenad and carried unanimously.

4. ESTABLISHMENT OF ORDER OF ITEMS ON THE AGENDA

Alderman Clement made a motion to approve the Order of Items on the Agenda. The motion was seconded by Alderman Ottenad and carried unanimously.

5. CONSIDERATION OF PETITIONS AND COMMENTS FROM THE PUBLIC

a. New Liquor License – West County Liquor & Foods

City Clerk Ruth Baker spoke on behalf of Mr. Francisc Buda who was not available to attend the meeting. She advised that Mr. Buda is planning to include pre-packaged smoked or dried meats, cheeses, etc. in addition to the liquor, and that Mr. Buda had previously operated a Quiznos in the area. She reviewed the planned hours of operation, being Monday through Thursday from 11:00 a.m. until 10:00 p.m.; Friday and Saturday from 11:00 a.m. until 11:00 p.m., and initially on Sunday

from 11:00 a.m. until 7:00 p.m., but mentioned that Mr. Buda had stated that after a couple months he may close the store on Sundays, depending on the number of customers that day.

Alderman Ryan made the motion to approve the liquor license for West County Liquor and Foods. The motion was seconded by Alderman Clement and carried unanimously.

b. Discussion regarding cost of the new Police Facility

Alderman Ottenad discussed an e-mail received which gave a list of some of the funds yet to be spent for the police facility, and it showed an estimated remainder of funds of \$77,000. Alderman Ottenad said she does not believe the City will be under budget when the Police Facility is finished. She asked the Director of Finance if there would be additional charges of which she is aware.

Director of Finance Michelle DePew said that she remembers that there were construction fees included, but the base bids are not back yet, and that would be one indicator of what it might cost, and there may be consulting fees, attorney fees, or bond issuance fees to use the bonds to pay for the Police Facility.

Alderman Ottenad said that personally she does not believe the City will be within budget, because she thinks there are many charges out there that haven't been dealt with yet.

City Administrator Ed Blattner said that the memo sent was based on the architect's cost per square foot. Mr. Blattner said that the Chief has secured the file cabinets, lockers, and furniture, and based on the information available and based on the inspection fees, it looks like this is a ballpark figure of where the City will be, but more will be known when the bids come in. Mr. Blattner said he has talked with a few contractors, including Brinkman, and they believe the square foot price being used by the architect is realistic. He said that hopefully the City will be in a position to go out for bid at the end of the month.

c. Comments from the public

Ms. Pauline Bair, 305 Morewood Drive, asked about the pending lawsuits.

City Attorney Gunn responded that with regard to the first lawsuit, the Court of Appeals sustained the City's position, and there was a request sought for the full Court of Appeals to hear that case, which was denied. He said that the plaintiffs have since asked that the case be transferred to the Missouri Supreme Court, and that is currently pending. He said there was nothing pending on the third lawsuit, and there is a lot of discovery and documents sought in the fourth lawsuit. He said that in the third lawsuit, the court dismissed three of the four counts, so it is close to being disposed of, and the fourth lawsuit is in its infancy.

Mr. James Bottorff, 580 Larksmore Court, discussed an article about red light cameras and reported violations in Creve Coeur and Florissant. Mr. Bottorff said that Ballwin and Ellisville are considering red light cameras. He said that Representative Portwood is introducing a Bill to have

big signs put up before the traffic light. Mr. Bottorff said that Representative Portwood wants money collected from red light violations to go to the schools. He asked that the City install red light cameras because the situation is getting worse; people do not have respect for red lights.

Chief John Connolly responded that the City is in tune with the situation, and he would ask the Board and Mr. Bottorff to consider an editorial in the *St. Louis Post Dispatch* scrutinizing the entire concept of these red light cameras. He said he feels that the City is where it should be; the City is still waiting and watching to see the effect, because it is not all positive. He said the issue at hand is the presumption that the owner of the car is the driver, and there is the burden of proof if someone contests that they were not the driver of the car. He said that regarding public sentiment, there is a trend that the public is viewing this concept as a money maker rather than an accident reducer, because there are some statistics and studies that indicate that there is an increase in rear end collisions.

Attorney Gunn said he has issues with cameras that do not take pictures of the inside of the car, because then it is unknown who is actually driving the car, and he also has issues with cameras that do take pictures of the inside, because there are questions of privacy. He said he believes the Court should work their way through this, and if the Legislature does something to assist the court in making a decision, that is fine, but at this point, he believes that the City should wait. Attorney Gunn said the majority of the cities do not have the red light cameras. He said he is also concerned that this is a money-making venture, and that is not the purpose.

Chief Connolly suggested the City stay with its current course, and watch the media, watch the public sentiment, and watch the legislative action or inaction. He said that even though this is a trendy thing to have these cameras right now, that does not mean that is the best thing to do for the long haul.

Mr. Bottorff said that Representative Portwood said the car owner would get the ticket, and there would be no points involved, but there would be a fine.

Attorney Gunn discussed an instance where one of his clients received a ticket from a red light camera. He said he sent a letter about sixty days ago challenging the ticket, and he has not heard a word in response. He said the inaction makes him suspicious that they realize the vulnerability. He said he thinks they are concerned about some of the constitution issues.

Ms. Sue Allen, said she has been attending some of the Board meetings, because she would be running for Representative Portwood's seat in August. Ms. Allen said the reason she wanted to speak tonight, was that she had seen that the Citizens Police Academy Program will be presented in Manchester in January. She said that the Citizens Police Academy and the Community Emergency Response Team are great programs. She said the Citizens Police Academy gives every resident an idea of what policemen go through, and she would encourage the population to participate.

6. REPORTS FROM THE MAYOR

a. Mayoral Report

Mayor Wilson reported attending the *West Newsmagazine* open house on December 20; attending the Lafayette Mayor's Meeting along with City Administrator Ed Blattner, and attending the Employee Awards Luncheon on December 21. He said that he has no appointments coming up at the present time. He stated that he is at City Hall on Tuesdays and Thursdays from 3:45 p.m. until 6:00 p.m.

There was a discussion regarding an upcoming Work Session to be held on Thursday, January 24 at 7:00 p.m.

7. REPORTS FROM THE CITY ADMINISTRATOR

a. List of Paid Bills (Warrant dates of December 14, 2007 - January 3, 2008)

There were no questions.

b. 38th Annual Missouri Municipal League Legislative Conference

City Administrator Ed Blattner discussed the upcoming Missouri Municipal League Conference, and asked the elected officials to advise the City Clerk if they would like to attend.

c. Police Facility Underground Detention

City Administrator Ed Blattner discussed the Police Facility underground detention which is being excavated now. He said it is about 60 feet wide and about 130 feet long.

Alderman Clement asked if the detention basin will need to be cleaned out.

Mr. Blattner said that there would be some cleaning required. He said the detention basin would be in two compartments, and he discussed the chamber where the water would pass through a sand filter for about a day and a half to be purified and percolate out into the next chamber where the main detention will be. He said the main basin is the larger 2/3 of the structure, and the 10, 50, or 100 year stormwater would pass into that compartment and be held to assure that the discharge is not beyond the pre-development flow rates. He said that once every one to three years, the Public Works Department will need to go into that sand filter and remove the rock on top of the sand, change some of the sand, and put the rock back. He said there would be six inches of a clean rock layer and 18 inches of a certain type of sand. He said there will be three metal panels visible from the parking lot to allow access with the backhoe for cleaning purposes.

d. Letter received from resident

City Administrator Ed Blattner talked about a letter received from a resident claiming damage from the blasting at the Manchester Highlands. Mr. Blattner said that there has not been any blasting taking place now for several weeks. He said that Pace and Brinkman have done an excellent job of monitoring all the blast locations. He said every blast has been way below the

decibals allowed. He said he would forward the letter to Brinkman to follow up, but he does not believe the blasting that has been done would have been a problem for a home.

e. Horner & Shifrin, Inc. to attend the next Board of Aldermen meeting

City Administrator Ed Blattner advised that Horner & Shifrin will be at the next Board of Aldermen meeting to present their plan of action for the bridge rehabilitation program which was approved several months ago. He said that last Friday, all of the city's bridges were inspected by two engineers from Horner & Shifrin, along with Mike Pate from the City and Pat Martens from Missouri Department of Transportation, as is done every two years. He said their findings will be presented on the 21st. He said that Horner & Shifrin also provided a proposal with three different options for the Seibert Park pedestrian bridge.

f. Discussion regarding Geotest request for payment

City Administrator Ed Blattner said that Geotest was employed to assist the City with regard to all fill for the Police Facility site. He said this project started in September and the City believed the process was finished the first part of November. He said the City had approved a \$10,000 ceiling and a purchase order was issued to that effect. He said there was a written and verbal understanding that there was a \$10,000 cap on those services, and he thought the expenditure was at that amount about a month ago when he presented at a previous Board of Aldermen meeting an extension for another \$15,000 of services. Mr. Blattner said that in the meantime, a \$3,300 bill was sent to the City from Geotest for work that they say was undertaken during the month of November, about which the City was unaware, because it was believed that the work was completed the first part of November.

Mr. Blattner said that on the 21st, he would have another Ordinance from Geotechnology for structural steel and reinforced masonry inspections for the Police Facility. Mr. Blattner said that in light of the situation with Geotest, he asked Geotechnology to also give a proposal for the additional inspections needed for soils and site work now that the base filling and compaction work is done.

Mr. Blattner said he has had conversations and e-mails from Mr. Barnes at Geotest, and the position of Mr. Barnes is that he would like the Board of Aldermen to consider paying the \$3,300 that he knows is over the budget, but he feels the company should be paid.

Alderman Ottenad said she is getting upset with a pattern of overage seen in the past few months. She said the sidewalk project was above budget, the X-L project was over budget, and now Geotest is over budget. She asked who from the City should be paying attention to these things.

Mr. Blattner said that Geotest representatives and supervisors knew about the cap, and he felt the project was done at the first part of November, so City representatives were surprised that Geotest felt it was necessary to be on the site again. He said Geotest had free rein to be on the site when they needed to be with Midwest Testing. Mr. Blattner said there was no City representative who sat at the site on a lawn chair to watch it all day long. He said the people from Geotest came and left as needed. He said he expected that if the individuals from Geotest saw a possible overrun

approaching, they would come to the City and advise the estimated additional hours necessary to complete the project. Mr. Blattner said if that had happened, he would have approached the members of the Board of Aldermen about extending the work order, because if necessary, it needed to be done. Mr. Blattner stated that Geotest did not notify the City of the additional work to be done; Geotest sent the City a bill for \$3,300 after the fact. Regarding the additional \$3,300, he said he had talked with the men from Brinkman and the men from Midwest Testing, and they said that Geotest had been on the site, but they did not think it was necessary for Geotest to be there.

Alderman Ottenad asked if there should be someone from the City monitoring inspections such as this, or if there typically would not be.

Mr. Blattner said Geotest was hired on the City's behalf to watch the fill placement and to watch Midwest Testing. He said it was not the primary job of Geotest to make the site filled or compacted. He said it was critical that someone was on the site to make sure that the site was being compacted right.

Alderman Ottenad discussed the Geotest invoice and asked why the amount on the second page did not agree with the amount on the first page, with a difference of \$875. She said that the City should expect a corrected invoice from Geotest.

Mayor Wilson said that in regard to the \$3,300, Mr. Blattner is asking for the Board's direction and guidance, because the company did provide services, and Geotest is asking for payment even though it is beyond the agreed-upon amount.

Mr. Blattner said that Mr. Barnes asked him to bring the additional charge before the Board for consideration.

Alderman Ottenad said she was not in favor of paying the additional fees.

Alderman Clement said that this is an oversight on the part of Geotest, and he feels the City should not pay the \$3,300. He said this is an example where Geotest was not thoroughly watching what was going on, and he believes the Board should not authorize the additional expenditure of money. Alderman Clement said there is also an impact on that, because he is going to be reading for the second time a Bill which is on the agenda, and when they get to that item on the agenda, he would like to discuss that. He said he is not interested in giving Geotest more business when they are so adamant that the City should pay this overage.

Alderman Ryan said that Geotest did the work without the authority of the City which is paying the bill. He said the company should have had the courtesy of coming before the City prior to doing any work beyond the contract, and he is concerned that Geotest took this on themselves to do this extra work

Alderman Clement made the motion that the City deny Geotest's request for payment of the additional funds.

Mayor Wilson reviewed that approval of this motion would direct the City Administrator not to take steps to amend the existing Ordinance to pay the additional funds.

The motion was seconded by Alderman Ottenad and carried 5 – 0.

City Administrator Ed Blattner said that the City still does have a number of inspections and must do certain things as mandated by the architect and required by the project specifications. He referred to a proposal from Geotechnology, and advised that on the next agenda, there would be a Bill for inspection of the structural steel and reinforced masonry inspections. He said there were additional tests that originally he had thought Geotest might be doing, but because of this situation, it would be his recommendation that the City use Geotechnology to do those site inspections, concrete testings, and other inspections as required. He said there were only three proposals to do the structural steel and masonry inspections, and Geotechnology can do the other inspections needed to meet the requirements of the project specifications. Mr. Blattner asked the Board of Aldermen for their direction as to whether they preferred that he rewrite a new request for proposal or use Geotechnology which will already be on site to do the structural steel and masonry inspections. Mr. Blattner advised that Soiltech will be doing the perimeter site inspections for the land disturbance permit. Mr. Blattner said that right now there is nobody to help on soil inspections, so the Public Works Department will have to monitor all the work on the detention basin, because he may not be able to go back to Geotest and he needs to get somebody on board.

There was a discussion about giving a contract to a company that is not the lowest bidder, and City Attorney Gunn said his understanding is that these are professional services and therefore, they are not subject to the normal bidding procedure. He said the Code of Ordinances provides for the lowest and best bidder.

Alderman Ottenad asked if Geotechnology did work for the City before.

Mr. Blattner responded that they were the soil consultant for the pool. He said Geotechnology took the soil samples and did the compaction tests; they are just a testing agency. Mr. Blattner said that he is doing everything he can to assure quality control, but unfortunately, with the architect and engineer being 300 miles from St. Louis, there are many additional responsibilities for the City. He said all the testings are the responsibility of the City, and he wants to make sure that everything is covered and there is a good-quality product.

Alderman Tullock asked about the frequency of reports being received from the consultant.

City Administrator Blattner said the testing takes place every day and he gets weekly reports from Midwest Testing on the entire Highlands project, and he gets reports from Geotest verifying that tests were taken.

Mayor Wilson asked if the members of the Board are comfortable with having a Bill on the next Agenda authorizing a contract with Geotechnology. He said if someone is not comfortable with Mr. Blattner's recommendation, a motion needs to be made to give Mr. Blattner direction and guidance as to the Board's pleasure.

Alderman Clement said that he believes the first step would be if Bill # 07-1933 fails. He said if that Bill is rejected, that sets in motion the next step.

Mayor Wilson asked if any member of the Board of Aldermen wanted to express reservations to Mr. Blattner's plan at this time.

City Attorney Gunn reviewed that Mr. Blattner's plan is for Geotechnology to be used for those matters, if Bill #07-1933 is defeated, to include those matters in the Geotest proposal on the agenda, as well as the use of Geotechnology for matters involving structural steel and masonry.

Alderman Ryan asked if City employees have the expertise to monitor the work taking place if the Board does not approve Bill # 07-1933.

Mr. Blattner explained the redesign of the detention box, the digging and filling of the trench to bring it up to grade, and the footings of the detention basin. He said that City employees Bob Ruck and Mike Pate took pictures and got copies of the tickets to know what is being done. Mr. Blattner said the City has just received the revised plans, and the City will be there to monitor, to watch what they are doing in conjunction with the work Midwest Testing is doing until Geotechnology is on board.

8. REPORTS FROM COMMITTEES

a. Planning and Zoning Commission

Alderman Clement said there was no meeting on December 24, and the next meeting is scheduled for January 14.

b. Historic Review Commission

Mr. Doug Flavin advised that the Historic Review Commission has not met since the last Board of Aldermen meeting.

9. ACTION ON OLD BILLS

a. BILL # 07-1933 – AN ORDINANCE AUTHORIZING ADDITIONAL EXPENDITURE FOR SITE INSPECTION SERVICES FOR THE NEW POLICE FACILITY SITE

There was discussion that Robert's Rules of Order states that a person making a motion must vote in favor of the motion.

City Attorney Gunn suggested that if so desired, Alderman Clement could make a motion that Bill # 07-1933 not be passed, and he could vote in favor of that.

Alderman Clement read Bill # 07-1933, for the second time, entitled: “AN ORDINANCE AMENDING ORDINANCE NO. 07-1774, TO ALLOW FOR ADDITIONAL SITE INSPECTION SERVICES TO BE PROVIDED AT A COST NOT TO EXCEED FIFTEEN THOUSAND DOLLARS (\$15,000.00) ON A TIME-AND-MATERIAL BASIS FOR THE CITY OF MANCHESTER POLICE FACILITY”, by title only.

Alderman Clement made the motion that Bill # 07-1933 be defeated. The motion was seconded by Alderman Ottenad.

A poll of the Board showed:

Alderman Clement – aye
Alderman Steinbrenner - absent
Alderman Tullock – aye
Alderman Ryan – aye
Alderman Diehl – aye
Alderman Ottenad – aye

Mayor Wilson announced that the motion passed; Bill # 07-1933 was defeated 5 - 0.

b. BILL # 07-1934 – AN ORDINANCE AUTHORIZING PARTICIPATION IN THE COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS PROGRAM

Alderman Diehl read Bill # 07-1934 for the second time, entitled: “AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF MANCHESTER TO ENTER INTO AN AGREEMENT WITH ST. LOUIS COUNTY, MISSOURI, SUPPLEMENTING THE CITY’S PREVIOUS MUNICIPAL HOUSING AND COMMUNITY DEVELOPMENT COOPERATION AGREEMENT”, by title only.

Alderman Diehl made the motion that Bill # 07-1934 become Ordinance # 08-1839. The motion was seconded by Alderman Ottenad.

A poll of the Board showed:

Alderman Steinbrenner - absent
Alderman Tullock – aye
Alderman Ryan – aye
Alderman Diehl – aye
Alderman Ottenad – aye
Alderman Clement – aye

Mayor Wilson announced the motion passed 5 – 0.

- c. BILL # 07-1935 – AN ORDINANCE AGREEING TO PARTICIPATION IN THE U. S. CELLULAR MUNICIPAL TAX SETTLEMENT

Alderman Tullock read Bill # 07-1935 for the second time, entitled: “AN ORDINANCE APPROVING A SETTLEMENT AGREEMENT WITH UNITED STATES CELLULAR CORPORATION AND ASSIGNING A PERCENTAGE OF THE SETTLEMENT PROCEEDS TO ST. LOUIS CONTY MUNICIPAL LEAGUE”, by title only.

Alderman Tullock made the motion that Bill # 07-1935 become Ordinance # 08-1840. The motion was seconded by Alderman Clement.

A poll of the Board showed:

Alderman Tullock – aye
Alderman Ryan – aye
Alderman Diehl – aye
Alderman Ottenad – aye
Alderman Clement – aye
Alderman Steinbrenner – absent

Mayor Wilson announced that the motion passed 5 – 0.

- d. BILL # 07-1936 – AN ORDINANCE APPROVING A BOUNDARY ADJUSTMENT BETWEEN PARCELS OF PROPERTY IN THE MANCHESTER HIGHLANDS AREA

Alderman Clement read Bill # 07-1936 for the second time, entitled: “AN ORDINANCE APPROVING A BOUNDARY ADJUSTMENT BETWEEN PARCELS OF PROPERTY DESCRIBED IN EXHIBIT “A” ATTACHED HERETO AND KNOWN AS LOTS 3 AND 4 OF ‘MANCHESTER HIGHLANDS PLAT ONE’, LOT B-1 OF HOMEQUARTERS SUBDIVISION, AND ALL OF LOTS 81 AND 82 AND PART OF LOTS 31 AND 32 OF MANCHESTER HEIGHTS IN THE CITY OF MANCHESTER, MISSOURI”, by title only.

Alderman Clement made a motion that Bill #07-1936 become Ordinance # 08-1841. The motion was seconded by Alderman Ottenad.

A poll of the Board showed:

Alderman Ryan – aye
Alderman Diehl – aye
Alderman Ottenad – aye
Alderman Clement – aye
Alderman Steinbrenner – absent
Alderman Tullock – aye

Mayor Wilson announced the motion passed 5 – 0.

- e. BILL # 07-1938 – AN ORDINANCE VACATING PART OF HILL AVENUE IN THE MANCHESTER HIGHLANDS AREA

Alderman Ottenad read for Alderman Steinbrenner Bill # 07-1938 for the second time, entitled: “AN ORDINANCE VACATING A TRACT OF LAND BEING PART OF HILL AVENUE LOCATED IN SECTION 31, TOWNSHIP 45 NORTH, RANGE 5 EAST OF THE 5TH PRINCIPAL MERIDIAN IN THE CITY OF MANCHESTER, ST. LOUIS COUNTY, MISSOURI”, by title only.

Alderman Ottenad made the motion that Bill # 07-1938 become Ordinance # 08-1842. The motion was seconded by Alderman Clement.

A poll of the Board showed:

Alderman Diehl – aye
Alderman Ottenad – aye
Alderman Clement – aye
Alderman Steinbrenner – absent
Alderman Tullock – aye
Alderman Ryan – aye

Mayor Wilson announced the motion passed 5 – 0.

- f. BILL # 07-1937 – AN ORDINANCE APPROVING SUBDIVISION PLAT FOR MANCHESTER HIGHLANDS PLAT TWO

Alderman Ottenad read Bill # 07-1937 for the second time, entitled: “AN ORDINANCE APPROVING THE SUBDIVISION PLAT FOR MANCHESTER HIGHLANDS PLAT TWO, A PARCEL OF PROPERTY LOCATED IN THE CITY OF MANCHESTER, MISSOURI, AND DESCRIBED IN EXHIBIT “A” ATTACHED HERETO”, by title only.

Alderman Ottenad made the motion that Bill # 07-1937 become Ordinance # 08-1843. The motion was seconded by Alderman Clement.

A poll of the Board showed:

Alderman Ottenad – aye
Alderman Clement – aye
Alderman Steinbrenner – absent
Alderman Tullock – aye
Alderman Ryan – aye
Alderman Diehl – aye

Mayor Wilson announced the motion passed 5 – 0.

10. INTRODUCTION OF NEW BILLS

- a. BILL APPROVING SETTLEMENT AGREEMENT WITH AT&T AND ASSIGNING A PERCENTAGE TO THE ST. LOUIS COUNTY MUNICIPAL LEAGUE

Alderman Clement introduced Bill # 08-1939, entitled: “AN ORDINANCE APPROVING A SETTLEMENT AGREEMENT WITH AT&T MOBILITY AND ASSIGNING A PERCENTAGE OF THE SETTLEMENT PROCEEDS TO THE ST. LOUIS COUNTY MUNICIPAL LEAGUE”, by title only.

No further action at this time.

11. MISCELLANEOUS

- a. Discussion regarding trash service

Mr. Lenny Neeley, District Manager, from IESI, asked if there were any questions.

Alderman Clement said it appears that there is a lessening of the problems. He said that since yard waste is not being picked up at this time, a portion of the concerns have been eliminated. He said that since the problems are decreasing, he would suggest that Mr. Neeley have a hiatus from attending each meeting unless there are additional problems.

Alderman Ottenad advised that she had only had three calls within the past two weeks, and she agreed with Alderman Clement that Mr. Neeley does not need to come to each meeting. Then, Alderman Ottenad discussed two problematic issues pertaining to recycling containers. She advised that the two residents each spent a month asking for IESI to deliver recycling containers, and for the one resident, a container was taken from the public works garage to the resident's home. Alderman Ottenad said the other resident received a very dirty container, and Mike Miller had to replace it with a clean one. She asked what happens with the phone calls if someone calls three or four times.

Mr. Neeley said that IESI only gives out new containers. He also said that delivery people are out every day and it should not take even two calls for containers to be delivered. He said if Alderman Ottenad would furnish him with the addresses, he could look it up in their system.

Alderman Ottenad discussed a situation that happened in front of her house, and said that Mike Miller took care of the problem. She said the bag was picked up upside down and the contents fell onto the street and the driver did not clean it up.

An agreement was made with Mr. Neeley that he could attend every third meeting instead of each meeting.

b. Comments from the Public

Mr. James Bottorff, 580 Larksmore Court, expressed his thanks for the senior citizen luncheon and entertainment.

12. EXECUTIVE SESSION

- a. Closed Session: Pursuant to Section 610.021 (2) of the Revised Statutes of the State of Missouri pertaining to the leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefore.

At 9:02 p.m., Alderman Clement made a motion to go into closed session: pursuant to Section 610.021 (2) of the Revised Statutes of the State of Missouri pertaining to the leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefore. The motion was seconded by Alderman Tullock.

A poll of the Board showed:

Alderman Clement – aye
Alderman Steinbrenner – absent
Alderman Tullock – aye
Alderman Ryan – aye
Alderman Diehl – aye
Alderman Ottenad – aye

Mayor Wilson announced the motion passed 5 – 0.

13. ADJOURNMENT

At 9:33 p.m., there being no further business, Alderman Clement made a motion to adjourn. The motion was seconded by Alderman Diehl and carried unanimously.

The meeting adjourned at 9:33 p.m.

Respectfully submitted,

Ruth E. Baker, City Clerk

